

## REMARKS / ARGUMENTS

### Status of the Claims:

Claims 41-54 and 59 are currently pending. Reconsideration is respectfully requested in view of the following remarks.

### Rejections Under 35 U.S.C. §103

Claims 41-43, 47-51, 53 and 54 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,439,626 to Bennett et al. ("Bennett") in combination with U.S. Patent No. 7,060,149 to Ortega et al. ("Ortega.") Applicants respectfully traverse.

Bennett is directed to a method of preparing hollow nylon filaments. The Examiner has cited Bennett as teaching all elements of the present claims with the exception of simultaneously spinning filaments from separate filament packs, for which the Examiner cited Ortega.

In order to provide a *prima facie* case of obviousness, all claim elements must be disclosed in a single reference or combination of references. Bennett fails to disclose several elements of the present claims, including failing to disclose mixed filament nylon yarns including different polyamide compositions. There is no teaching in Ortega that cures this deficiency.

Accordingly reconsideration and withdrawal of the rejections under Section 103 are respectfully requested.

Claims 44-46, 52 and 59 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bennett in combination with Ortega and further in view of Nakayama. These rejections are respectfully traversed.

Nakayama is cited solely for teaching the preparation of an acid-dyeable nylon. Nakayama provides no disclosure of a mixed yarn including both anionic and cationic dyeable nylon as in claims 44 and 59. As such, Nakayama fails to overcome the deficiencies of the primary references in establishing a *prima facie* case of obviousness. Reconsideration and withdrawal of the rejections under Section 103 are, therefore, respectfully requested.

### CONCLUSION

For the reasons stated above, claims 41-54 and 59 are believed to be in condition for allowance. Accordingly, Applicant respectfully requests that the Application be allowed. If prosecution may be further advanced, the Examiner is invited to telephone the undersigned to discuss this application.

The Examiner is authorized to credit or debit any fees due regarding this application to Applicant's Deposit Account No. 50-3223 (INVISTA).

Date: August 14, 2008

Respectfully submitted,

  
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